

It is respectfully submitted that this rejection is not proper. Whether or not the term "pre-gel" is a trademark, Applicant has in the specification provided a definition of pre-gel which is sufficiently precise and definite to be made a part of the claim. Specifically, in this regard, in the final paragraph on page 7 of the specification, Applicant states for purposes of the invention, the pre-gel for use therein is defined as a starch modified by temperature and pressure treatment wherein water is initially added and then removed to gelatinize the starch. It is then ground to fine particle size for use as a binder. This definition is sufficiently precise and definite to be made a part of the claim, and accordingly the claims are in compliance with 35 U.S.C. § 112, second paragraph. In this regard, the Examiner's attention is directed to MPEP § 608.01(v).

Claims 1-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmitt, U.S. Patent No. 6,071,325. Claim 6 has been canceled and this rejection is not believed to be proper with respect to claims 1-5 and 7 remaining in the application.

Admittedly, Schmitt discloses a binder composition comprising pre-gelatinized starch as a binder for agglomerating ore. This does not, however, suggest the self-reducing agglomerates for use in the production of metal wherein the agglomerates include metallic oxide containing particles and particles of a carbonatious reducing agent, which are bonded by a pre-gel, as expressly recited in the claims under rejection. Specifically, there is no disclosure or suggestion in Schmitt of the presence of a carbonatious reducing agent within the mixture which is necessary to render the agglomerates self-reducing with respect to the metal oxide containing particles thereof.

Claims 8-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmitt, as applied with respect to claims 1-7, and further in view of Whigham, U.S. Patent No. 3,957,482. This rejection is not believed to be proper.

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Admittedly, Whigham discloses an apparatus for heating an oxide feed converted to a cohesive form by the addition of a starch, in which apparatus includes a perforated belt. Schmitt does not, however, cure the deficiencies discussed above with respect to Schmitt in that there is no disclosure or suggestion in Whigham of producing self-reducing agglomerates. In addition, there is no disclosure or suggestion in Whigham of means for sequentially decreasing the temperature of the hot gas introduced to the agglomerates as the moisture content of the agglomerates decreases and the temperature of the agglomerates increases, and wherein the temperature of the hot gas introduced to the agglomerates is controlled at a temperature to maintain the agglomerates below the combustion temperature thereof. Further, there is no disclosure or suggestion in Whigham of means for controlling the speed of the conveying means to expose the agglomerates to the hot gas for about 10 to 60 minutes. All of this is recited expressly in Applicant's claim 8.

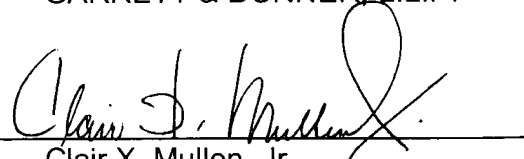
In addition, Whigham does not disclose means for uniformly distributing the hot gas to the agglomerates while being conveyed, as recited in claim 9, which directly depends from claim 8.

In view of the above, favorable reconsideration of Applicant's claims 1-5 and 7-10 with a view to allowance is earnestly solicited.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: January 2, 2002